IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO.701 OF 2005

IN

SUIT NO.2051 OF 2005

...

M/s.S.M. Construction Co. ...Plaintiff

v/s.

M/s.National India Contractors

and Engineers & Ors. ...Defendants

...

Mr.A.K.Maheshwari with Mr.J.P.Thakkar for the Plaintiff.

Mr.A.T.Q.Motiwala for the Defendants.

...

CORAM: D.K.DESHMUKH, J.

DATED: 19TH JUNE, 2006

P.C.:

By consent of parties, summons for judgment is disposed of in following terms:

(i) The Defendant to deposit in this court, with due notice to the Plaintiff, an amount of Rs.5,00,000/- within a period of six weeks from today. The amount to be deposited in fixed deposit by the Prothonotary & Sr.Master in any nationalised bank during the pendency of the suit. On the amount being deposited, the summons for judgment shall stand disposed of with leave to the defendant to defend the suit.

(ii) In that event, written statement to be filed within a period of six weeks from the date of deposit.

(iii) In case the amount is not so deposited within the aforesaid time, the summons for judgment shall stand granted and the suit shall stand decreed in terms of prayer clause of the suit.

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